

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TRENT HENRICKSON

Plaintiff,

v.

STATE OF NEVADA, *et al.*,

Defendants.

Case No. 2:20-cv-01014-APG-EJY

ORDER

Pending before the Court is Plaintiff's Notice of Defendant's Violation of Preliminary Injunction, Second Request for Equitable Sanctions (ECF Nos. 90 and 91), signed by Plaintiff on March 25, 2021. Also pending before the Court is Plaintiff's Notice of Violations (New) of Preliminary Injunction and Motion for Equitable Sanctions (ECF No. 92).

The Court notes that on March 23, 2021, which was just two days before Plaintiff signed his Second Request Motions and five days before Plaintiff signed his Notice of Violations (New), the Court entered an Order granting Plaintiff's Preliminary Injunction stating: "I order the defendants to provide Henrickson with two hours of outdoor exercise time per week and one hour of tier time daily, subject to temporary limitations when a genuine emergency exists." ECF No. 87. The Court further ordered "the parties to file a report in 60 days on the status of Henrickson's out-of-cell time." *Id.* Collectively, Plaintiff's submissions state that during the five days following the Court's Order granting Plaintiff preliminary injunctive relief, High Desert State Prison failed to comply with the Order.

On March 30, 2021, the State filed an Emergency Motion to Stay Pending Appeal (ECF No. 93). On April 12, 2021, the Court denied the State's Emergency Motion. ECF No. 95. Since Plaintiff's filings, which are now more than three weeks ago, Plaintiff, who is a prolific filer of motions, has not notified the Court of further violations of the injunctive relief granted. In the absence of any additional information, there is insufficient evidence of ongoing violations of the injunction for the Court to find the State is noncompliant. Therefore, sanctions are denied.

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Notice of Defendant's Violation of
2 Preliminary Injunction (ECF Nos. 90 and 91) are DENIED without prejudice.

3 IT IS FURTHER ORDERED that Plaintiff's Notice of Violation (New) of Preliminary
4 Injunction and Motion for Equitable Relief (ECF No. 92) is DENIED.

5 Dated this 19th day of April, 2021.

6 
7
8 ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28